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Date: March 15, 2006

By:

Kay L. Gariglio

PATENT
Docket No. GC778-2-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Cervin et al.

Group Art Unit: 1636

Serial No.: 10/728,337

Examiner: Akhavan, Ramin

Filed: December 3, 2003

For: Glucose Transport Mutants for
Production of Biomaterial

Information Disclosure Statement

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449 and attached thereto) of which they are aware, that they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).

(b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry into the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

(d) ☐ is filed after the first Office Action and more than three months after the application filing date or PCT national stage date of entry filing but, as far

as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180.00) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Authorization to charge Deposit Account No. 07-1048 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement is provided in the Transmittal Letter submitted herewith in duplicate.

(e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by authorization (in the Transmittal Letter submitted herewith in duplicate) to charge Deposit Account No. 07-1048 the fee (\$180.00) set forth in 37 CFR §1.17(l)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the Supplemental Information Disclosure Statement.**

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of the items on Form PTO-1449 is supplied: PCT International Search Report for PCT/US03/31544, filed October 3, 2003 and with attached patents and publications. EP International Search Report for EP 03 77 4572, filed November 10, 2005 and with attached patents and publications. EP Supplementary Partial International Search Report for EP 03 80 8137, filed November 10, 2005 and with attached patents and publications.

☒ each ☐ none ☐ only those listed below:

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s)
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

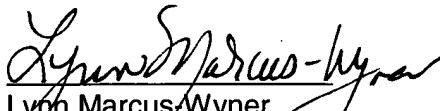
The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed reference.

Respectfully submitted,

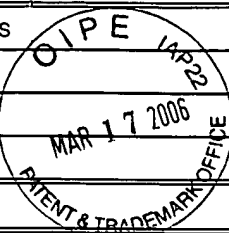
Date: March 15, 2006


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INFORMATION DISCLOSURE CITATION

Attorney Docket No.: GC778-2-US		Serial No.: 10728,337	
Applicant: Cervin et al.			
Filing Date: December 3, 2003		Group: 1636	
Page <u>1</u> of <u>1</u>		Date of this Submission: March 15, 2006	



US PATENT DOCUMENTS

Examiner's	Document				Sub-	Filing
Initial	Number	Date	Name	Class	Class	Date

FOREIGN PATENT DOCUMENTS

Examiner's	Document				Sub-	Translation
Initials	Number	Date	Country	Class	Class	Yes/No
	WO 03089604	10/30/03	PCT			

OTHER DOCUMENTS

Examiner's	
Initials	Author, Title, Date, Pertinent Pages, etc.
	Arora et al., « Glucokinase of Escherichia coli : Induction in Response to the Stress of Overexpressing Foreign Proteins, <i>Archives of Biochemistry and Biophysics</i> , V. 319, N. 2, June 1, pp. 574-578, 1995
	Baez-Viveros, et al., Determination of 3-deoxy-D-arabino-heptulosonate 7-phosphate productivity and yield from glucose in Escherichia coli devoid of the glucose phosphotransferase transport system, » <i>Biotechnology and Bioengineering</i> , V. 73, N. 6, 20 June 2001, pp. 530-535
	Baez-Viveros, et al., « Metabolic engineering and protein directed evolution increase the yield of L-phenylalanine synthesized from glucose in Escherichia coli. » <i>Biotechnology and Bioengineering</i> , V. 87, N. 4, 20 August 2004, pp. 516-524
	Flores et al., « Pathway engineering for the production of aromatic compounds in Escherichia coli, » <i>Nature Biotechnology</i> , V. 14, May 1995 pp. 620-623
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	Hernandez-Montalvo V. et al., « Characterization of sugar mixtures utilization by an Escherichia coli mutant devoid of the phosphotransferase system, : <i>Applied Microbiology and Biotechnology</i> , V.57, pp 186-191 (October 2001)
	Hernandez-Montalvo V. et al., «Expression of galP and glk in a Escherichia coli PTS mutant restores glucose transport and increases glycolytic flux to fermentation products, »: <i>Biotechnology and Bioengineering</i> V.83, N.6, September 20, 2003 pp. 687-694 :
	Jahreis et al., « Adaptation of Sucrose Metabolism in the Escherichia coli Wild-Type Strain EC3132, » <i>J. of Bacteriology</i> , V. 184, N. 19, Oct. 2002, pp. 5307-5316
	Valle, et al., « Overexpression of chromosomal genes in Escherichia coli, » <i>Method in Molecular Biology (Clifton, N. J.)</i> , V. 267, 2004, pp.113-122
	Database Accession No. D12473

Examiner	Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO-1449